

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

GREGG CARL BAIRD,	§	
	§	
Petitioner,	§	
	§	
v.	§	CIVIL ACTION NO. H-14-2259
	§	
STUART JENKINS, Director, Texas	§	
Department of Criminal Justice,	§	
Parole Division,	§	
Respondent.	§	

**RESPONDENT'S UNOPPOSED MOTION TO SEAL  
STATE COURT RECORDS WITH BRIEF IN SUPPORT**

Petitioner Gregg Carl Baird seeks habeas corpus relief in this Court pursuant to 28 U.S.C. § 2254. Baird was convicted of possession of child pornography. The Director filed most all of the state-court records in this case on October 31, 2014. *See* ECF Nos. 9, 10. He did not, though, file a part of volume 7 of the record because it contains some images of child pornography. The Director now moves the Court to file and seal what the Director has labeled “RR 7 of 7 EXHIBITS (part 1)”. The public has a common-law right to inspect and copy judicial records. *Nixon v. Warner Communications, Inc.*, 435 U.S. 589, 597 (1978). The right to inspect and copy judicial records is not absolute, however, and the court has supervisory power over its own records and files. *Id.* at 598. Here, there is no public interest in access to these

exhibits. And, of course, there is no First Amendment right to child pornography. *See New York v. Ferber*, 458 U.S. 747 (1982).

### CONCLUSION

The Director respectfully requests that this Court seal “RR 7 of 7 EXHIBITS (part 1).”

Respectfully submitted,

GREG ABBOTT  
Attorney General of Texas

DANIEL T. HODGE  
First Assistant Attorney General

DON CLEMMER  
Deputy Attorney General  
for Criminal Justice

EDWARD L. MARSHALL  
Chief, Criminal Appeals Division

s/ Jon R. Meador  
JON R. MEADOR\*  
Assistant Attorney General  
State Bar No. 24039051  
Southern District Bar No. 630275

\*Attorney in Charge

P.O. Box 12548, Capitol Station  
Austin, Texas 78711  
(512) 936-1400  
Facsimile No. (512) 936-1280  
jon.meador@texasattorneygeneral.gov

ATTORNEYS FOR RESPONDENT

### **CERTIFICATE OF CONFERENCE**

I do hereby certify that I conferred with Josh Schaffer regarding the filing of this motion, and he indicated that he did not oppose the motion.

s/ Jon R. Meador  
JON R. MEADOR  
Assistant Attorney General

### **CERTIFICATE OF SERVICE**

I hereby certify that on the 5th day of November 2014 I will electronically file the foregoing with the Clerk of Court using the CM/ECF system, which will then send a notification of such filing to the following:

Josh Barrett Schaffer  
The Schaffer Firm  
1301 McKinney, Suite 3100  
Houston, Texas 77010  
Email:josh@joshschafferlaw.com

s/ Jon R. Meador  
JON R. MEADOR  
Assistant Attorney General